

STATE OF MISSISSIPPI

COUNTY OF HARRISON

AFFIDAVIT OF DR. PAUL ANTHONY McGARRY

Personally came and appeared before me, the undersigned authority in and for the county and state the within named DR. PAUL ANTHONY McGARRY, forensic pathologist, who after being first duly sworn by me on oath, did depose and state the following:

I.

My name is Dr. Paul Anthony McGarry and I am a forensic pathologist and have been doing autopsies for Harrison County since 1980.

II.

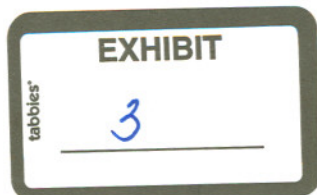
I am over the age of 21 years and not the convict of a felony and have personal knowledge of the matters and facts contained herein. I am competent to testify to the matters herein.

III.

On December 17, 2006, I was called upon to perform an autopsy on Lee Demond Smith which occurred in Harrison County, Mississippi. I performed my usual procedures with autopsy protocol and confirmed the primary cause of death was massive pulmonary embolism; thrombi in the pelvic veins; hemorrhagic lobular foci in the right lung, hemorrhagic congestion of both lungs. The deceased died of natural causes.

VI.

There were no injuries to the deceased's chest, neck, abdomen, pelvis, extremities or anywhere on the deceased's body. I conspired with no one to set forth any untrue facts or



matters in my official report which was confirmed by the Department of Justice and the Department of Defense.

Further Affiant saith not.

Dr. Paul Anthony McGarry
DR. PAUL ANTHONY McGARRY

SWORN TO AND SUBSCRIBED BEFORE ME, this the 10th day of February, 2009.

Joel Wiley
NOTARY PUBLIC

Notary Public State of Mississippi At Large
My Commission Expires April 22, 2009
Bonded Thru Heiden, Brooks & Garland, Inc.
